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10/617,530	07/10/2003	Yen-Fu Chen	AUS920030522US1	3554
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IBM CORP (YA)			EXAMINER	
C/O YEE & ASSOCIATES PC			NEWAY, SAMUEL G	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com

<b>Office Action Summary</b>		<b>Application No.</b>	<b>Applicant(s)</b>
10/617,530		CHEN ET AL.	
<b>Examiner</b>	<b>Art Unit</b>		
SAMUEL G. NEWAY	2626		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 29 January 2009.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-5,9-12,16-20 and 24-27 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-5,9-12,16-20 and 24-27 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. This is responsive to the amendment after non-final filed on 29 January 2009.
2. Claims 1 – 5, 9 – 12, 16 – 20, and 24 – 27 are still pending and considered below.

***Response to Amendment***

3. The claim objection of claim 2 is withdrawn in view of Applicant's amendment.

***Response to Arguments***

4. Applicant's arguments filed 29 January 2009 have been fully considered but they are not persuasive.

Applicant submits that the claim amendments traverse the Double Patenting rejections made in the last action. However, the rejections still stand (see below). Applicant also submits that the amendments overcome the prior art rejections, but the Examiner respectfully disagrees (see below for rejection).

***Double Patenting***

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir.

1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claims 1 – 5, 9 – 12, 16 – 20, and 24 – 27 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 – 16, and 30 - 45 of copending Application No. 10/617,526 in view of Chinese-English Dictionary

(<http://web.archive.org/web/20000301054545/http://www.mandarintools.com/worddict.html>) and in further view of Chinese-English Lookup

(<http://web.archive.org/web/20010309104519/http://home.iprimus.com.au/richwarm/cel/cel.htm>) referred as Lookup hereinafter.

Current Application	Co-pending Application 10/617,526
1. A method comprising: using a computer having a display and connected to the internet, copying a Chinese character from a web page by highlighting the Chinese character on the web page;  accessing a graphical user interface having only an input field, a submit control, and a Simplified Chinese/Traditional Chinese equivalency display area;	1. A method comprising: using a computer having a display and connected to the internet, copying a Simplified Chinese character into an input field of a graphical user interface;  using Unicode to determine a Traditional Chinese character equivalent of a Simplified Chinese character;

<p>pasting the Chinese character into an input field of a graphical user interface on the display;</p> <p>responsive only to pasting the Chinese character into the input field of the graphical user interface and clicking the submit control, automatically recognizing the Chinese character without entering an encoding format of the Chinese character so that when the Chinese character is a Simplified Chinese character, the Chinese character is displayed in the Simplified Chinese/Traditional Chinese equivalency display area and the Traditional Chinese character equivalent is simultaneously displayed in the Simplified Chinese/Traditional Chinese equivalency display area next to the Chinese character, and when the Chinese character is a Traditional Chinese character, the Chinese character is displayed in the Simplified Chinese/Traditional Chinese equivalency display area and the Simplified Chinese character equivalent is simultaneously displayed in the Simplified Chinese/Traditional Chinese equivalency display area next to the.</p> <p>2. The method of claim 1 further comprising: accepting the Chinese character as user input, wherein the Chinese character is encoded in GB2312 or Unicode.</p> <p>3. The method of claim 1 further comprising: translating the Chinese character from GB2312 to Unicode.</p> <p>4. The method of claim 1 further comprising: accessing a conversion table</p>	<p>using Unicode to translate the Simplified Chinese character into accented Pin Yin word and an English word; and responsive to a user activation of a single control on the graphical user interface,</p> <p>simultaneously displaying the Simplified Chinese character as a Traditional Chinese character, an unaccented Pin Yin word, a hybrid Pin Yin word, and an English word.</p> <p>2. The method of claim 1 further comprising: accepting the Simplified Chinese character as user input, wherein the Simplified Chinese character is encoded in GB2312 or Unicode.</p> <p>3. The method of claim 1 further comprising: translating the Simplified Chinese character from GB2312 to Unicode.</p> <p>4. The method of claim 1 further</p>
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<p>to determine the Traditional Chinese character.</p> <p>5. The method of claim 4 wherein the conversion table is a JAVA hashtable.</p>	<p>comprising: accessing a conversion table to determine the Traditional Chinese character.</p> <p>5. The method of claim 4 wherein the conversion table is a JAVA hashtable.</p>
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The current application is directed to finding the corresponding Chinese character (Traditional and/or Simplified) to a given Chinese word (Traditional and/or Simplified). Copending application No. 10/617,526 is directed to finding the corresponding equivalent Chinese character (Traditional and/or Simplified), the corresponding Pin Yin word, and/or an English word to any given word (Chinese, Pin Yin, and/or English).

Chinese-English Dictionary teaches a method of finding the corresponding equivalent Chinese character (Traditional and/or Simplified), the corresponding Pin Yin word, and/or an English word to any given word (Chinese, Pin Yin, and/or English) without regard to an encoding format (“searches can be conducted by Chinese (using either the GB, Big5, or Unicode encodings), …”, page 1, lines 5-6).

Lookup discloses simultaneously displaying a Chinese character first and its translations next to the Chinese character in a graphical user interface without entering an encoding format of the Chinese character (Figure on top of page 1. Note the display of a Chinese character first and its translations next to the Chinese character).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include Chinese-English Dictionary's various translations in order to help a non-native Chinese speaker learn the Chinese language by, for example, giving English translations to Chinese words.

It would have also been obvious to one with ordinary skill in the art at the time of the invention to simultaneously display Applicant's Chinese character (Simplified or Traditional) and its translations as disclosed in Lookup. It would also have been obvious to limit the graphical user interface (GUI) to an input field, a submit control, and an equivalency display area in order to provide a simple GUI void of unnecessary encumbrances.

Claims 16 – 20, and 24 – 27 are similar in scope and content to claims 1 – 5 and 9 – 12 and are rejected with the same rationale.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

7. Claims 1 – 3, 9, 10, 16 – 18, 24 and 25 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 5 – 6, 26, 30 – 31 of copending Application No. 10/631,070 in view of Chinese-English Dictionary

(<http://web.archive.org/web/20000301054545/http://www.mandarintools.com/worddict.html>) and in further view of Chinese-English Lookup

(<http://web.archive.org/web/20010309104519/http://home.iprimus.com.au/richwarm/cel/cel.htm>) referred as Lookup hereinafter.

Current Application	Co-pending Application 10/631,070
<p>1. A method comprising: using a computer having a display and connected to the internet, copying a Chinese character from a web page by highlighting the Chinese character on the web page;</p> <p>accessing a graphical user interface having only an input field, a submit control, and a Simplified Chinese/Traditional Chinese equivalency display area;</p> <p>pasting the Chinese character into an input field of a graphical user interface on the display;</p> <p>responsive only to pasting the Chinese character into the input field of the graphical user interface and clicking the submit control, automatically recognizing the Chinese character without entering an encoding format of the Chinese character so that when the Chinese character is a Simplified Chinese character, the Chinese character is displayed in the Simplified Chinese/Traditional Chinese equivalency display area and the Traditional Chinese character equivalent is simultaneously displayed in the Simplified Chinese/Traditional Chinese equivalency display area next to the Chinese character, and when the Chinese character is a Traditional Chinese character, the Chinese character is displayed in the Simplified Chinese/Traditional Chinese equivalency display area and the Simplified Chinese</p>	<p>1. A method comprising: using a computer having a display and connected to the internet,</p> <p>accepting a user input of a Simplified Chinese word at a graphical user interface on the display;</p> <p>...</p> <p>searching a dictionary for an entry containing a Simplified Chinese word; using Unicode to determine a Traditional Chinese word equivalent of a Simplified Chinese word;</p> <p>using Unicode to translate the Simplified Chinese word into accented Pin Yin word and an English word; and</p> <p>responsive to a user activation of a single control on the graphical user interface, simultaneously displaying the Simplified Chinese word, the Traditional Chinese word equivalent, the accented Pin Yin word, and the English word.</p>

<p>character equivalent is simultaneously displayed in the Simplified Chinese/Traditional Chinese equivalency display area next to the.</p> <p>2. The method of claim 1 further comprising: accepting the Chinese character as user input, wherein the Chinese character is encoded in GB2312 or Unicode.</p> <p>3. The method of claim 1 further comprising: translating the Chinese character from GB2312 to Unicode.</p>	<p>5. The method of claim 1 further comprising: accepting the Simplified Chinese word as user input, wherein the Simplified Chinese word is encoded in GB2312 or Unicode.</p> <p>6. The method of claim 1 further comprising: translating the Simplified Chinese word from GB2312 to Unicode.</p>
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The current application is directed to finding the corresponding Chinese character (Traditional and/or Simplified) to a given Chinese word (Traditional and/or Simplified). Copending application No. 10/631,070 is directed to finding the corresponding equivalent Chinese character (Traditional and/or Simplified), the corresponding Pin Yin word, and/or an English word to any given word (Chinese, Pin Yin, and/or English).

Chinese-English Dictionary teaches a method of finding the corresponding equivalent Chinese character (Traditional and/or Simplified), the corresponding Pin Yin word, and/or an English word to any given word (Chinese, Pin Yin, and/or English) without regard to an encoding format and where Chinese character is determined without the use of an intermediate language ("searches can be conducted by Chinese (using either the GB, Big5, or Unicode encodings), ... results will show the Chinese

word", page 1. Note that the Chinese word can be selected to be either Simp. Chinese (GB) or Trad. Chinese (Big5) as shown on top of page 1).

Lookup discloses simultaneously displaying a Chinese character first and its translations next to the Chinese character in a graphical user interface (Figure on top of page 1. Note the display of a Chinese character first and its translations next to the Chinese character).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include Chinese-English Dictionary's various translations in order to help a non-native Chinese speaker learn the Chinese language by, for example, giving English translations to Chinese words.

It would have also been obvious to one with ordinary skill in the art at the time of the invention to simultaneously display Applicant's Chinese character (Simplified or Traditional) and its translations as disclosed in Lookup. It would also have been obvious to limit the graphical user interface (GUI) to an input field, a submit control, and an equivalency display area in order to provide a simple GUI void of unnecessary encumbrances.

It is also noted that it is well settled that the omission of an element/step and its function is an obvious expedient if the remaining elements perform the same function as before. *In re Karlson*, 136 USPQ 184 (CCPA 1963). Also note Ex parte Rainu, 168 USPQ 375 (Bd. App. 1969). Omission of a reference element or step whose function is not needed would be obvious to one of ordinary skill in the art.

Claims 16 – 18, 24 and 25 are similar in scope and content to claims 1 – 3, 9, and 10 and are rejected with the same rationale.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 1 – 5, 9 – 12, 16 – 20, and 24 – 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Independent claims 1 and 16 recite the limitations “recognizing the Chinese character without entering an encoding format of the Chinese character”. The specification does not disclose this limitation. The closest teaching to this limitation is the fact that the Chinese character can be recognized regardless of the encoding format, i.e. whatever the encoding of the Chinese character the invention will recognize the character (page 10, lines 7-9). However, the specification is silent on entering or not entering an encoding format. Applicant is reminded that a mere absence of a positive recitation is not basis for exclusion. In other words, the lack of disclosure regarding

recognizing a Chinese character by entering an encoding format is not enough to teach recognizing without entering an encoding format.

The other claims are rejected based on their dependence upon rejected claims.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 1 – 4, 9 – 11, 16 – 19, and 24 – 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chinese-English Dictionary

(<http://web.archive.org/web/20000301054545/http://www.mandarintools.com/worddict.html>) in view of Chinese-English Lookup

(<http://web.archive.org/web/20010309104519/http://home.iprimus.com.au/richwarm/cel/cel.htm>) referred as Lookup hereinafter.

Claim 1:

Chinese-English Dictionary discloses a method comprising:

using a computer having a display and connected to the internet (Figure on page 1, related text, and "download the dictionary at the CEDICT website", page 1);

accessing a graphical user interface having an input field, a submit control, and a Simplified Chinese/Traditional Chinese equivalency display area ("Search" and "Look It Up" in Figure on page 1 and "Results will show ...", page 1, lines 4-7).

But Chinese-English Dictionary does not explicitly discloses copying a Chinese character from a web page by highlighting the Chinese character on the web page, pasting the Chinese character into an input field of a graphical user interface, automatically recognizing the Chinese character without entering an encoding format of the Chinese character, and displaying as claimed in the instant claim.

Lookup discloses a similar Chinese-English dictionary where a user is able to select and copy a Chinese character (where it is pasted on the dictionary window) from a Web browsers or a word processor ("user has selected and copied a word ... ", page 1) in order to get a desired translation by automatically recognizing the Chinese character without entering an encoding format of the Chinese character (see "Does CEL work with both Big5 and GB text?", page 2. Note that the workaround does not require entering an encoding format, see the CEL Documentation Notes, page3) and simultaneously displaying the Chinese character and the translated characters next to the Chinese character in a graphical user interface in response to only pasting the Chinese character into a window and clicking a control (Figure on top of page 1. Note the display of a Chinese character and its translations next to the Chinese character. See also "What's new in Version 2.0?" on page 1 where it is disclosed that the user can manually, i.e. by clicking a control, paste the Chinese character and trigger the lookup dictionary).

It would have been obvious to one with ordinary skill in the art at the time of the invention to copy and paste words from Web pages in Chinese-English Dictionary's interface, automatically recognizing the Chinese character without entering an encoding

format of the Chinese character, and simultaneously displaying the Chinese character and the translated characters next to the Chinese character in Chinese-English Dictionary's interface in response to only pasting the Chinese character into an input field and clicking a submit control in order to "help Chinese language learners to read Chinese electronic texts in other applications such as Web browsers and word processors" (Lookup, page 1, paragraph 2).

Chinese-English Dictionary and Lookup do not explicitly disclose a graphical user interface (GUI) having only an input field, a submit control, and an equivalency display area. However, it would have been obvious to one with ordinary skill in the art at the time of the invention to have excluded unnecessary fields from the Chinese-English Dictionary's GUI in order to present a simple interface void of unused fields. For instance, the "as" field in Chinese-English Dictionary where a user selects the encoding type of the entered Chinese character will be unnecessary in the combination of Chinese-English Dictionary with Lookup, because the combination, using Lookup's method, is able to automatically discern the entered Chinese character's encoding. The "Output as" field will also be unnecessary because the combination of Chinese-English Dictionary with Lookup is able to display the Chinese character and all its translations so the user is not required to select which particular translations should be displayed. The "Look for" field which is used to select the position of the entered Chinese character is not a mandatory field for translation in Chinese-English Dictionary, it is simply a way to limit searches. This field could be omitted without affecting Chinese-English Dictionary's basic translation capabilities. It is again noted that it is well settled that the

omission of an element/step and its function is an obvious expedient if the remaining elements perform the same function as before. *In re Karlson*, 136 USPQ 184 (CCPA 1963). Also note Ex parte Rainu, 168 USPQ 375 (Bd. App. 1969). Omission of a reference element or step whose function is not needed would be obvious to one of ordinary skill in the art.

Claim 2:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: accepting the Chinese character as user input, wherein the Chinese character is encoded in GB2312 or Unicode ("return the results in GB ... or Unicode", page 1).

Claim 3:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: translating the Chinese character from GB2312 to Unicode ("return the results in GB ... or Unicode", page 1).

Claim 4:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: accessing a conversion table to determine the Traditional Chinese character ("searches can be conducted by Chinese (using either the GB, Big5, or Unicode encodings), ... results will show the Chinese word", page 1. Note that a conversion table is inherent in the determination of equivalent characters).

Claim 9:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: accepting the Chinese character as user input, wherein the Chinese character is encoded in Big5 ("return the results in GB, Big5 ... Unicode", page 1).

Claim 10:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: translating the Chinese character from Big5 to Unicode ("return the results in GB, Big5 ... Unicode", page 1).

Claim 11:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: accessing a conversion table to determine the Simplified Chinese character ("searches can be conducted by Chinese (using either the GB, Big5, or Unicode encodings), ... results will show the Chinese word", page 1. Note that a conversion table is inherent in the determination of equivalent characters).

Claims 16 – 19 and 24 – 26:

Claims 16 – 19 and 24 – 26 are directed to a program product encoding program code for performing the method of claims 1 – 4 and 9 – 11. It is old and well-known to encode program code for performing a method on a computer storage medium and implement instructions corresponding to the program code on a computer's processor. Accordingly, claims 16 – 19 and 24 – 26 are rejected with the same rationale as applied above with respect to method claims 1 – 4 and 9 – 11.

12. Claims 5, 12, 20, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chinese-English Dictionary

(<http://web.archive.org/web/20000301054545/http://www.mandarintools.com/worddict.html>) in view of Chinese-English Lookup

(<http://web.archive.org/web/20010309104519/http://home.iprimus.com.au/richwarm/celcel.htm>) referred as Lookup hereinafter and in further view of Hughes ("1ICT3 Computer Science Sample Paper I", 1998, University of Dublin).

Claim 5:

Chinese-English Dictionary and Lookup disclose the method of claim 4, but they do not explicitly disclose using a Java hashtable.

Hughes discloses a conversion table for Morse code stored in a Java hashtable ("The conversion table for Morse code can be stored in a Java Hashtable object", page 4, question 6).

Therefore it would have been obvious to one with ordinary skill in the art at the time of the invention to use a Java hashtable as the conversion table in Chinese-English Dictionary because Java is able to run on any platform.

Claim 12:

Claim 12 is similar in scope and content to claim 5; therefore it is rejected with the same rationale.

Claims 20 and 27:

Claims 20 and 27 are directed to a program product encoding program code for performing the method of claims 5 and 12. It is old and well-known to encode program

code for performing a method on a computer storage medium and implement instructions corresponding to the program code on a computer's processor. Accordingly, claims 20 and 27 are rejected with the same rationale as applied above with respect to method claims 5 and 12.

***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMUEL G. NEWAY whose telephone number is (571)270-1058. The examiner can normally be reached on Monday - Friday 8:30AM - 5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on 571-272-7843. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David R Hudspeth/  
Supervisory Patent Examiner, Art Unit 2626

/S. G. N./  
Examiner, Art Unit 2626